

Dear Bill,

9/11/95

In your letter of the 8th you ask what I thought when ~~Fuhrman~~ took the fifth. I was sure he would once the defense said it would call him again, after its indication long before the tapes were known that he had a record of racism. But that is not the real question. The real question is can any state pass any law that in any way restricts a Constitutional right, in this case Simpson's.

I am astounded that the legal community has not been complaining loudly that a man can perjure himself in a capital case, ^{take} that the fifth and have that withheld from the jury.

I'll be surprized if the defense does not demand his recall under use immunity. Not transactional, use. Of course the ~~xxx~~ prosecution will clamor that they want the right to charge and try him and do not want to lose that with the granting of use immunity. If Cochran has been successful in getting the police and internal section records on him or if he can establish that in any way it knew he was lying about anything then that claim ought vaporize. *Rejected by 1to.*

I also think they should be raising hell publicly, turning people on, getting the media involved in this gross injustice-against a black in a capital case.

As I think I told you long ago, my interest in the case came from the initial leaks that could have come from public authority only. Remembering the Dr. Sam Shepherd and Billie Sol Estes cases I believe that the only reason the prosecution would do that, and the cops are part of the prosecution, is because they knew they had a weak case, thus they wanted to prejudice all potential jurors, and did. As they later did repeatedly. Remember the kind of "evidence" I've been dealing with all these years, on a personal basis in the Ray case. There the judge's order was violated with the interception of his mail with his lawyers, the FBI knew it, accepted copies and then said not to send copies, only a paraphrase of the contents. We put the interceptions in the case record and the judge ignored that! More like this, including taking all his papers from him when he reached Memphis for the hearing. And you've seen some indications of the faking and planting of evidence in the JFK case.

I told the AP that in response to complaints in the Simpson case off the top of the head I'd provide duplication of it from the JFK and Ray cases. No interest when the decision was left to the chief reporter at the Simpson trial.

Fuhrman's claim to have found the glove where he did convinced me he had planted it. There was no reason for Simpson to go over that wall. Kato's vivid description of those three loud knocks that shook the pictures on his wall to men meant only that they were made to get his attention and that nobody falling over any wall would cause three loud knocks and vibrate the walls. When I saw the TV pictures of the foliage on that wall at that point I knew nobody had gone over it and fallen. It is undisturbed.

I wrote Cochran about this but nobody in his office responded. If it was called to his attention, there is more but this is an indication of what I've believed from the outset. As well as that he is not a killer type.

Besides which there is much wrong with the alleged evidence other than has been raised in court. I'm surprised it was not raised.

Then there was the defense case in chief. It did establish at the least reasonable doubt.

I believe that a real investigation would incriminate the prosecution. The canons are clear, the primary obligation of the prosecutor is not to get a conviction. It is to see that justice is done. This in addition to what it had to know if not do give Cochran a real basis for loud and explicit protest that would by and large be well received. I think it is time to become an activity lawyer.

Perhaps this possibility is why the Washington station that had been telecasting a relay of the trial from Los Angeles stopped carrying it today. It is owned by Warners.

The press does not "misunderstand" the facts. It does understand them and as in other major case misrepresents them. And I do not think, never did think, it was Fuhrman alone. I've suspect that Vanatta from the time he testified. And there had to be others who were writing if not involved. It is now SOP.

In one form or another these things have been the practice of almost all police for years. Years ago I introduced a sheriff with a law degree and with first-person knowledge to the Wash. Post and it had no interest. He had chapter and verse on specific crimes, too.

What I do not remember Pepper saying in his letter is that I turned him loose in all I have and then got a Hoard student to continue that for him. No charge, including none for my time. So I think the least he owes me is a copy of his book. I've been told it is in the stores in the New York City area. So I'm not buying one.

I have no clear recollection of Father Joe Kennedy's involvement with liquor smuggling after the Volstead Act was past but there were many such reports, if not of his involvement with the smuggling, then with the sale of what was smuggled in.

I have a file on the phony claim to have been married to JFK.

On the Confederacy you will have seen that the local paper paid attention to my letter on holding the city for ransom by doing a story on it. Better than a letter.

And Boog Powell came to the last day of the city's 250 anniversary celebration and in the large park near the center of town autographed and gave away all the balls people asked for.

Thanks for the stamps. Best to you both,

Harold